

Atty. Dkt. No. 025782-0106 (3606, Palm)
(fka 035451-0123)

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 2, 6, 9, 12, 14, and 20 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4 and 6-20 are now pending in this application.

Claim Rejections -35 U.S.C. § 101

In Section 2 of the Office Action, the Examiner rejected claims 1-4 and 6-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner has recommended amendments of claims 1, 9, and 14 to overcome the rejection. Applicant has amended claims 1, 9, and 14 accordingly. Therefore, Applicant respectfully requests that the rejections under 35 U.S.C. § 101 be withdrawn.

Claim Rejections -35 U.S.C. § 112

In Section 3 of the Office Action, the Examiner rejected claims 2-4 and 6-20 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirements. The Examiner indicated that "the claims contained subject matter which was not described in the Specification in such a way to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The term 'standard directive' is not in the Specification."

Although Applicant does not acquiesce in the Examiner's rejection under 35 U.S.C. § 112, first paragraph as Applicant believes that the prior amendment may be supported by the

Atty. Dkt. No. 025782-0106 (3606.Palm)
(fka 035451-0123)

present Specification, although not explicitly. Applicant has amended claims 1, 2, 9, 12, 14, and 20 to clarify and to overcome the 35 U.S.C. § 112, first paragraph, written description requirement rejection. Applicant has also amended the claim in view of the previously cited prior art and Applicant respectfully submits that the art did not show an editor that is configured to display the active segment of code in a first display color and the inactive segment of code in a second display color, different than the first display color based on the output of conditional statement or a conditional compilation directive in the source code. Applicant respectfully submits that claim 1, as amended, is therefore allowable. Accordingly, claim 1 and its dependent claims are also allowable.

Similarly, Applicant respectfully submits that claim 9 has been amended to recite "distinguishing inactive segments of the source code from active source code by determining the output of a conditional statement or a conditional compilation directive." Accordingly, Applicant respectfully submits that the previously cited prior art does not show such a limitation. Therefore, Applicant respectfully submits that claim 9 and its dependent claims are therefore allowable.

Further, Applicant respectfully submits that claim 14 recites "means for distinguishing active segments of code from inactive segments of code by determining the output of a conditional statement or a conditional compilation directive." Applicant submits that the previously cited prior art does not disclose, teach, or suggest the claim limitations in such a design system. Therefore, Applicant respectfully submits that claims 14 and their respective dependent claims are therefore allowable.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Atty. Dkt. No. 025782-0106 (3606.Palm)
(fka 035451-0123)

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date February 09, 2005

By Alistair K. Chan

FOLEY & LARDNER LLP
Customer Number: 34083
Telephone: (414) 297-5730
Facsimile: (414) 297-4900

Alistair K. Chan
Attorney for Applicant
Registration No. 44,603